***HON'BLE SRI JUSTICE L. NARASIMHA REDDY***

***WRIT PETITION NO. 12971 OF 2007***

***DATE: 25.6.2007***

***BETWEEN***

1. Adireddy Demudu.

....Petitioner

AND

1. The Joint Sub-Registrar, (Stamps and Registration) Vizianagaram and two others

.... Respondents

***THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY***

***WRIT PETITION NO. 12971 OF 2007***

ORDER:

Petitioner claims to have purchased Ac.7.36 cents of land in Survey No.144 (old 5/1) patta No. 531 of Kothavelagada Village of Gantyada Mandal, Vizianagaram District, from one Boddu Sanyasi Naidu. The sale deed was presented before the first respondent for registration on 24.01.2007. The document was assigned the pending registration number, being 5/2007 and the registration was deferred on the ground that the petitioner must produce pattedar passbooks issued by the Mandal Revenue Officer, Gantyada, the third respondent herein. The petitioner challenges the endorsement made by the first respondent. He contends that the Government issued memo dated 4.5.2007 exempting the production of pattedar passbooks and title deeds before the registering authority up to 31.3.2008 and there is no basis for insistence on the production thereof. As regards the second requirement, petitioner contends that it is equally untenable.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

Section 6-D of the A.P. Rights in Land and Pattadar Pass Books Act, 1971, mandates that any registering authority shall insist on production of pattedar passbooks

and title deeds issued under the enactment before any document is registered. Having regard to the fact that issuance of such document has not been completed, he states that the Government issued memo dated 5.4.2007, exempting production thereof up to 31.3.2008. Therefore, the document presented by the petitioner cannot be refused, on account of non- production of pattedar passbooks and title deeds.

So far as the second requirement pointed out in the endorsement made by the first respondent is concerned, it is as vogue as it could be. It is not known as to which type of correspondence the first respondent insisted.

The Indian Stamp Act and the Registration Act, as amended from time to time, prescribe the procedure to be followed for admitting the documents for registration. The registering authority cannot travel beyond the scope of this enactment, except where there exists specific statutory provision.

For the foregoing reasons, the Writ Petition is disposed of directing the first respondent to process the document presented by the petitioner in accordance with the provisions of the Indian Stamp Act and the Registration Act, as amended, without insisting on production of pattedar passbooks and title deeds, within a period of ten

days from today. There shall be no order as to costs.

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**L. NARASIMHA**

**REDDY, J**

Date: 25.06.2007
Note: Issue C.C. in three (3) days.
(B/o)
**JSU**